

026 - DISTRICT ATTORNEY

Operational Summary

Mission:

To enhance public safety and welfare and create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.

Strategic Goals:

- Protect the public from criminal activity.
- Create a sense of security in the community.

Key Outcome Indicators:

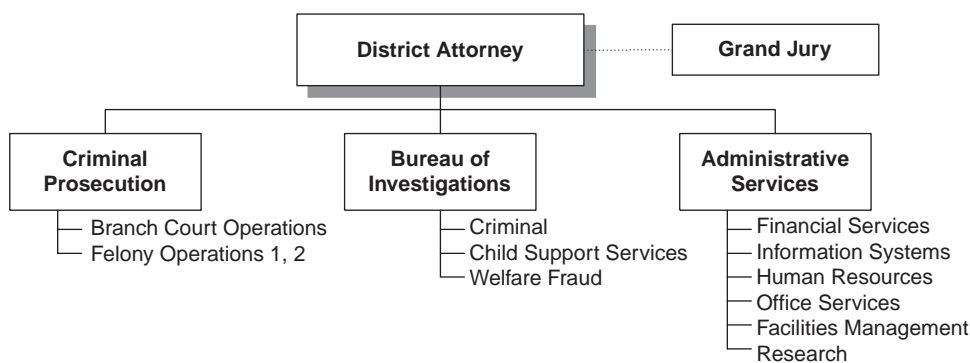
Performance Measure	2004 Business Plan	2005 Business Plan	How are we doing?
	Results	Target	
FELONY CONVICTION RATE What: Percentage of filed felony cases resulting in conviction. Why: Measures the Office's ability to effectively represent the People of the State of California.	Felony conviction rate exceeded 90%.	To meet or exceed 90% conviction rate.	The Office has maintained excellent conviction rates. However, conviction rate may decline if funding is further reduced below current level of service.
PUBLIC SURVEY ON FEELINGS OF SAFETY AND SECURITY What: An annual survey measuring public perception of safety and security. Why: Indicates achievement of the Office's goal of creating a sense of security in the community	On a 10-point scale with "1" representing a feeling of "extremely unsafe" and "10" representing a feeling of "complete safety," the most common response was 9 and the mean was 7.82. This favorable rating has been sustained from previous year's surveys.	To meet or exceed prior year response.	Survey responses indicated Orange County residents feel safe. Yet, if sufficient funding is not maintained, caseloads may reach unmanageable levels, compromising our ability to adequately prosecute criminals and thereby, jeopardize public safety.

FY 2004-05 Key Project Accomplishments:

- In 2004, the District Attorney initiated prosecution on 8 cold-case homicides. The individuals believed responsible for these crimes were identified as a result of collaborative efforts of the Orange County law enforcement community, including the proactive efforts of the Office's TracKRS (Task Force Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit.
- The Office played a key role in implementing the California DNA Fingerprint Initiative (passed as Proposition 69 in November 2004). This requires certain persons to provide law enforcement with a DNA sample to add to State DNA database. An Orange County prosecutor co-authored the initiative and Office's Bureau of Investigation is recognized statewide as having set in place a standard for DNA collection and advises other counties on establishing their protocols.

- The Office secured civil judgments against several major oil companies requiring them to clean up gasoline and MTBE contamination at over 300 gasoline stations, protecting the water supply of Orange County.
- A two-year investigation by the Office, with the assistance of the California Department of Insurance and the Franchise Tax Board, led to the filing of felony fraud charges against owners of an outpatient surgery center involved with recruiting thousands of healthy patients to have unnecessary surgeries and bilking more than \$14 million from insurance companies and employers.
- In 2004, the Office continued to integrate technology to maximize resource efficiency. The DA's Case Management System has been expanded to take full advantage of its web-based architecture, implementing electronic subpoena transmission to police officers and providing real-time case information to law enforcement partners and victim witness service providers. The Office continued working collaboratively with the Superior Courts to automate over 500,000 annual case transactions (filing, hearing dates, dispositions, etc.) between the DA and the Courts.

Organizational Summary



Administrative Services - This Division provides a full range of support services including accounting, budgeting, human resources, information systems, office support services, facilities management, research, purchasing, and compliance review/audit.

Bureau Of Investigations - The Bureau is comprised of law enforcement personnel who provide investigative, forensic computer and other related technical services for the agency's prosecutors. Investigators provide trial support by conducting complex criminal investigations as well as interviewing and subpoenaing witnesses.

Investigators also assist other County law enforcement agencies with complex investigations, cases involving multiple jurisdictions, and investigation of officer-involved shootings throughout the County. The Office's TracKRS Unit assists local law enforcement in the discovery, investigation, and apprehension of homicide and violent sexual offenders.

Criminal Prosecution - The Criminal Prosecution Division prosecutes of felony and misdemeanor crimes.

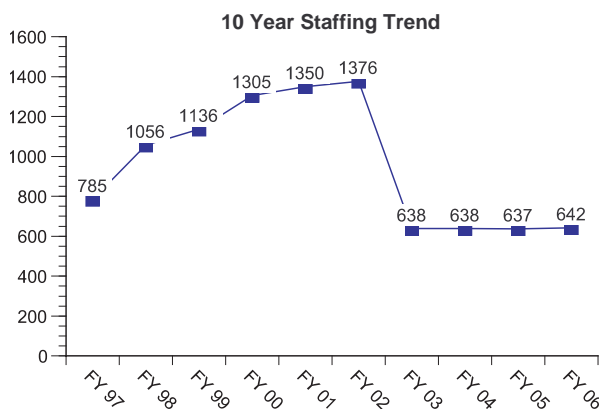
Felony Operations 1: Prosecutes the majority of violent felony crimes. Units in this area include: Homicide, Sexual Assault, Family Protection, Gangs, TARGET, and Felony Panel (prosecutes a variety of felony crimes not handled by specialized felony units).

Felony Operations 2: Contains vertical and non-vertical prosecution units. The units include: Economic Crimes (auto theft, auto insurance fraud, workers' compensation insurance fraud, high tech crime, identity theft, and high-dollar fraud crimes); Consumer and Environmental Protection Unit (prosecutes improper usage or dumping of hazardous materials and companies and individuals that engage in fraudulent business practices); Narcotic Enforcement Team (prosecutes major narcotic traffickers and illegal drug manufacturers); Career Criminal (prosecutes dangerous repeat offenders); Welfare Fraud Criminal Prosecution Unit; Law and Motions Unit (researches and presents writs and

appeals and other court motions); and the Felony Projects/Special Assignment Unit (prosecutes a variety of specialized felonies (arson, hate crimes, political corruptions, and cases dealing with Mentally Disordered Offenders) and investigates Officer Involved Shootings).

Branch Court Operations: Prosecutes adult misdemeanor crimes and conducts preliminary hearings in each of the five Justice Centers and handles felony and misdemeanor petitions in the Juvenile Justice Center. In addition, each of the five Justice Centers includes a Felony Charging Unit designed to make the filing of felony cases more efficient and consistent. Between new filings and the completion of existing cases, the Division handles over 51,000 misdemeanor cases annually, over 16,000 felony filings, and the vast majority of the 11,000 juvenile petitions presented to the Office each year.

Ten Year Staffing Trend:



Ten Year Staffing Trend Highlights:

- Each year since FY 2001-02, the Board of Supervisors has approved funding for five Attorney III positions to provide prosecution support to implement Proposition 36, Substance Abuse Crime Prevention Act (SACPA) approved by voters in November 2000.
- During FY 2002-03, the Office deleted six positions funded by the Regional Gang Enforcement Team (RGET) federal grant program, which ended on December 31, 2002.
- In FY 2003-04, the Board of Supervisors approved the Office's augmentation request converting six long-term extra-help positions to regular status to comply with Memorandum of Understanding requirements. During this fiscal year, the Office deleted one position for the Juvenile Justice Crime Prevention Act Truancy Program.

- For FY 2005-06, the Board of Supervisors has approved the Office's augmentation request to add five paralegal positions to handle trial preparation, respond to court orders, and meet the specialty court requirements.

Budget Summary

Plan for Support of the County's Strategic Priorities:

The Office is directly involved in four of the 2005 County Strategic Priorities that require funding: District Attorney High Tech Crime Unit (Strategic Priority 3A); Identity Theft (Strategic Priority #3B); Soil and Groundwater Contamination Prosecution (Strategic Priority #15); and Proposition 36 Underfunding (Strategic Priority #19). As funding allows, the Office will endeavor to support these priorities. The Office combined the High Tech Crime Unit and Identity Theft Strategic Priorities since identity theft crimes tend to fall under the category of high tech crimes.

Changes Included in the Base Budget:

There are no significant changes in base budget requirements. FY 2005-06 budget represents continued operation at current fiscal year's level of service.

For budget purposes, a 5.34% increase over FY 2004-05 projected sales tax revenue is budgeted for FY 2005-06. In addition, the base budget also includes \$452,477 in Proposition 36 revenue to fund the Office's continued participation in this statutorily mandated program. This funding amount represents the Proposition 36 funding level allocated to the District Attorney in FY 2004-05. Any reduction in funding will require the Office to re-evaluate its ability to participate.

For FY 2005-06, the departmental budget includes funding for equipment supporting the High Tech Crime/Identity Theft priority. In addition, the Office is submitting one augmentation request to add five paralegal positions without requirement from the County general fund. To accommodate an immediate need for paralegals, the Office temporarily reclassified five attorney positions in the Fall of 2004. Our Office can no longer continue the temporary reclassification of the attorney positions and must restore attorney staffing to the budgeted levels to meet current workload demands.

Approved Budget Augmentations and Related Performance Results:

Unit Amount	Description	Performance Plan	Brass Ser.
ADD 5 PARALEGAL POSITIONS Amount:\$ 273,850	5 paralegal positions for trial preparation, respond to court orders, and assist specialty courts.	Meet caseload demands and new court requirements.	2250

Final Budget History:

Sources and Uses	FY 2003-2004	FY 2004-2005	FY 2004-2005	FY 2005-2006	Change from FY 2004-2005	
	Actual Exp/Rev	Budget As of 6/30/05	Actual Exp/Rev ⁽¹⁾ As of 6/30/05	Final Budget	Actual Amount	Percent
Total Positions	636	637	637	642	5	0.78
Total Revenues	54,681,065	59,289,898	61,419,766	58,385,716	(3,034,050)	-4.93
Total Requirements	77,057,000	81,278,602	81,560,864	81,098,195	(462,669)	-0.56
Net County Cost	22,375,935	21,988,704	20,141,099	22,712,479	2,571,380	12.76

(1) Amounts include prior year expenditure and exclude current year encumbrance. Therefore, the totals listed above may not match Total FY 2004-05 Actual Expenditure + Encumbrance included in the "At a Glance" section.

Detailed budget by expense category and by activity is presented for agency: District Attorney in the Appendix on page page 488

Highlights of Key Trends:

- In 2004, felony filings, which are the more complex, serious, and violent crimes, increased by 11% over 2003. This is the third consecutive year the Office has

experienced a significant increase in felony filings. Felony cases filings are continuing to grow over prior year levels.

Budget Units Under Agency Control:

No.	Agency Name	Administrative Services	Bureau Of Investigations	Criminal Prosecution	Total
026	District Attorney	18,297,058	23,563,723	39,237,414	81,098,195
116	Narcotic Forfeiture and Seizure	0	0	997,687	997,687
122	Motor Vehicle Theft Task Force	0	0	3,617,245	3,617,245
12H	Proposition 64 - Consumer Protection	0	0	909,550	909,550
14H	DA's Supplemental Law Enforcement Service	0	0	878,348	878,348
	Total	18,297,058	23,563,723	45,640,244	87,501,025

026 - District Attorney

Summary of Final Budget by Revenue and Expense Category:

Revenues/Appropriations	FY 2003-2004		FY 2004-2005		FY 2004-2005		Change from FY 2004-2005	
	Actual Exp/Rev		Budget		Actual Exp/Rev ⁽¹⁾		Actual	
			As of 6/30/05		As of 6/30/05		Amount	Percent
Fines, Forfeitures & Penalties	\$ 1,383,629	\$	528,160	\$	1,065,517	\$	511,960	\$ (553,557) -51.95%
Intergovernmental Revenues	51,466,937		51,772,265		58,484,643		55,792,521	(2,692,122) -4.60
Charges For Services	542,188		441,971		626,991		472,000	(154,991) -24.71
Miscellaneous Revenues	144,366		10,000		111,073		22,000	(89,073) -80.19
Other Financing Sources	1,143,945		6,537,502		1,131,541		1,587,235	455,694 40.27
Total Revenues	54,681,065		59,289,898		61,419,766		58,385,716	(3,034,050) -4.93
Salaries & Benefits	65,182,969		67,937,691		67,937,690		71,196,830	3,259,140 4.79
Services & Supplies	6,636,529		6,854,079		7,101,938		10,822,970	3,721,032 52.39
Other Charges	1,178,592		1,372,887		1,372,387		1,644,200	271,813 19.80
Fixed Assets	149,082		374,194		203,024		1,044,195	841,171 414.32
Other Financing Uses	7,761,464		8,408,968		8,408,967		0	(8,408,967) -100.00
Intrafund Transfers	(3,851,637)		(3,669,217)		(3,463,142)		(3,610,000)	(146,859) 4.24
Total Requirements	77,057,000		81,278,602		81,560,864		81,098,195	(462,669) -0.56
Net County Cost	\$ 22,375,935	\$	21,988,704	\$	20,141,099	\$	22,712,479	\$ 2,571,380 12.76%

(1) Amounts include prior year expenditure and exclude current year encumbrance. Therefore, the totals listed above may not match Total FY 2004-05 Actual Expenditure + Encumbrance included in the "At a Glance" section.

Final Budget Summary of Administrative Services:

Revenues/Appropriations	FY 2003-2004		FY 2004-2005		FY 2004-2005		Change from FY 2004-2005	
	Actual Exp/Rev		Budget		Actual Exp/Rev ⁽¹⁾		Actual	
			As of 6/30/05		As of 6/30/05		Amount	Percent
Intergovernmental Revenues	\$ 15,219,664	\$	15,188,000	\$	16,823,389	\$	16,895,000	\$ 71,611 0.42%
Charges For Services	88,678		78,034		94,795		85,000	(9,795) -10.33
Miscellaneous Revenues	77,179		10,000		99,682		22,000	(77,682) -77.92
Other Financing Sources	116,477		90,000		156,166		90,000	(66,166) -42.36
Total Revenues	15,501,998		15,366,034		17,174,032		17,092,000	(82,032) -0.47
Salaries & Benefits	10,253,761		10,564,930		10,397,396		10,873,935	476,539 4.58
Services & Supplies	4,397,546		4,551,435		4,784,234		6,117,728	1,333,494 27.87
Other Charges	1,178,592		1,372,887		1,372,387		1,644,200	271,813 19.80
Fixed Assets	149,082		177,065		164,816		606,195	441,379 267.80
Other Financing Uses	7,761,464		8,408,968		8,408,967		0	(8,408,967) -100.00
Intrafund Transfers	(807,186)		(1,009,287)		(572,847)		(945,000)	(372,153) 64.96
Total Requirements	22,933,259		24,065,998		24,554,954		18,297,058	(6,257,896) -25.48
Net County Cost	\$ 7,431,261	\$	8,699,964	\$	7,380,922	\$	1,205,058	\$ (6,175,864) -83.67%

Final Budget Summary of Bureau Of Investigations:

Revenues/Appropriations	FY 2003-2004	FY 2004-2005	FY 2004-2005	FY 2005-2006	Change from FY 2004-2005	
	Actual Exp/Rev	Budget As of 6/30/05	Actual Exp/Rev ⁽¹⁾ As of 6/30/05	Final Budget	Actual Amount	Percent
Intergovernmental Revenues	\$ 16,987,207	\$ 19,485,000	\$ 18,337,245	\$ 17,952,000	\$ (385,245)	-2.10%
Charges For Services	241,325	208,937	250,094	232,000	(18,094)	-7.23
Miscellaneous Revenues	59,426	0	8,672	0	(8,672)	-100.00
Total Revenues	17,287,958	19,693,937	18,596,011	18,184,000	(412,011)	-2.21
Salaries & Benefits	20,072,493	21,450,658	21,284,551	22,740,769	1,456,218	6.84
Services & Supplies	1,131,357	656,570	922,422	2,264,954	1,342,532	145.54
Fixed Assets	0	197,129	38,208	438,000	399,792	1,046.35
Intrafund Transfers	(2,002,959)	(1,901,624)	(1,958,059)	(1,880,000)	78,059	-3.98
Total Requirements	19,200,890	20,402,733	20,287,122	23,563,723	3,276,601	16.15
Net County Cost	\$ 1,912,932	\$ 708,796	\$ 1,691,111	\$ 5,379,723	\$ 3,688,612	218.11%

Final Budget Summary of Criminal Prosecution:

Revenues/Appropriations	FY 2003-2004	FY 2004-2005	FY 2004-2005	FY 2005-2006	Change from FY 2004-2005	
	Actual Exp/Rev	Budget As of 6/30/05	Actual Exp/Rev ⁽¹⁾ As of 6/30/05	Final Budget	Actual Amount	Percent
Fines, Forfeitures & Penalties	\$ 1,383,629	\$ 528,160	\$ 1,065,517	\$ 511,960	\$ (553,557)	-51.95%
Intergovernmental Revenues	19,260,066	17,099,265	23,324,009	20,945,521	(2,378,488)	-10.19
Charges For Services	212,185	155,000	282,103	155,000	(127,103)	-45.05
Miscellaneous Revenues	7,760	0	2,719	0	(2,719)	-100.00
Other Financing Sources	1,027,468	6,447,502	975,375	1,497,235	521,860	53.50
Total Revenues	21,891,108	24,229,927	25,649,723	23,109,716	(2,540,007)	-9.90
Salaries & Benefits	34,856,715	35,922,103	36,257,439	37,582,126	1,324,687	3.65
Services & Supplies	1,107,588	1,646,074	1,394,285	2,440,288	1,046,003	75.02
Intrafund Transfers	(1,041,492)	(758,306)	(932,236)	(785,000)	147,236	-15.79
Total Requirements	34,922,812	36,809,871	36,719,487	39,237,414	2,517,927	6.85
Net County Cost	\$ 13,031,704	\$ 12,579,944	\$ 11,069,764	\$ 16,127,698	\$ 5,057,934	45.69%